IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.24591 of 1999

Between:

1. Vemula Satyalamma W/o Ramaiah,
   Parkalagandi Village, Dammapeta Mandal,
   Khammam District.
2. Puvvada Sanjeevamma D/o Late Nagabushanam,
   Parkalagandi Village, Dammapet Mandal,
   Khammam District.

..... PETITIONERS

AND

1 The Superintendent of Police, Khammam.
2 The Deputy Superintendent of Police, Sathupalli,

Khammam District.
3 The Sub-Inspector of Police, Dammapet Police Station,
Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to direct the Respondents more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not providing Police Protection to the Petitioners and the properties situated in Sy.No.530 to an extent of Ac.5.26 gts.Sy.No.531 to an extent of Ac.0.10.gts, Sy.No.532 to an extent of 14.23gts., in Patwarigudem Village, Dammapeta Mandal, Khammam District as highly illegal arbitrary, unjust, improper and against the surprise of natural justice and in violation of Articles 21 of the Constitution of India and consequently direct the Respondents to give Police Protection to the petitioner and the properties of the above mentioned

lands.

Counsel for the Petitioners: MR.BADANA BHASKARA RAO

Counsel for the Respondent Nos.1 to 3: GP FOR HOME

The Court made the following:

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ORDER:

The first petitioner alleges that her husband purchased land admeasuring various extents in Survey Nos.530, 531 and 532 of Patwarigudem village, Dammapeta Mandal, Khammam District from one Karam Mutyalu under a registered agreement of sale dated 15.12.1962, which was allegedly later regularized by registration of sale deed. It appears the vendor filed cases under A.P.Scheduled Areas Land Transfer Regulation Rules, 1969 (the Rules, for brevity), in vain. All the cases were allegedly decided in favour of the petitioner. It is now alleged that one Karam Veera Swamy filed another case before the Deputy Collector (Tribal Welfare). Aggrieved by the same, the petitioners filed W.P. No.13066 of 1996 challenging the notice issued by the Special Deputy Collector (Tribal Welfare), Paloncha and this Court passed interim orders directing the respondents not to dispossess the petitioners. In spite of the same, it is now alleged that the family members of Veera Swamy are trying to interfere with the peaceful possession and enjoyment of the land which is with the petitioners and therefore, she approached the third respondent for protection, in vain. The present writ petition is filed seeking a direction to the respondents to give protection to her.

In paragraph 5 of the affidavit accompanying the writ petition, the petitioners made vague allegations. It is not stated when the family members of Veera Swamy tried to interfere with the petitioners' possession. Even in the complaint dated 09.11.1999 given to the third respondent, the petitioners have made vague allegations without pointing specific incident. Be that as when the third respondent did not take any action on the application of the petitioner, nothing prevented the petitioners to approach the third respondent or the first respondent. Without doing so, they straight away approached this Court. In this background, this Court is not inclined to give any relief as prayed for. If so aggrieved, the petitioners, again, may approach the respondents for redressal or move the appropriate application in the pending W.P.No.13066 of 1996.

The writ petition, with the above observations, is dismissed.

(V.V.S.RAO,J)

June 10, 2005.

YS

To

1 The Superintendent of Police, Khammam.
2 The Deputy Superintendent of Police, Sathupalli,

Khammam District.
3 The Sub-Inspector of Police, Dammapet Police Station,
Khammam District.

4 Two CCs to the Government Pleader for Home, High Court Buildings,

Hyderabad. (OUT)

5 Two CD copies.